



american federation of television and radio artists AFL-CIO
PITTSBURGH LOCAL
Penthouse Suite 2007, 625 Stanwix Street, Pittsburgh, PA 15222
412/281-6767 FAX 412/281-2444

April 14, 1995

Office of the Secretary
Federal Communications Commission
Washington, DC 20054

DOCKET FILE COPY ORIGINAL

Re: Reply Comments
MM Docket # 91-221/84-322

APR 17 1995

Dear Chairman Sikes and Fellow Commissioners:

Please find enclosed an original and nine copies of reply comments submitted by the American Federation of Television and Radio Artists, Pittsburgh Local, on the above captioned notice of proposed rule-making.

Respectfully submitted,

Mark Wirick
Executive Director

MW:cjh
Enclosures

No. of Copies rec'd 0 + 9
List A B C D E

APR 17 1995

COMMENTS OF AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS
PITTSBURGH LOCAL

DOCKET FILE COPY ORIGINAL

I. Introduction

The American Federation of Television and Radio Artists, Pittsburgh Local is a labor organization representing nearly 600 members who are employed in the news and broadcast, entertainment, commercial and recording industries. Specifically, the Local represents approximately 220 broadcasters, who are the journalists and personalities appearing on six licensed television stations and ten licensed radio stations in our area. Based upon our experience in the television and radio industries, we believe we are qualified to comment on the impact of the notice of proposed rule-making regarding the relaxation of existing television ownership rules and related policies.

II. Background

We note there are essentially four questions upon which comment is being invited:

- Whether the current limits on television ownership nationwide should be relaxed.
- Whether local market television duopolies should be permitted.
- Whether the "one to a market rule," which prohibits one company from owning both a radio station and a television station in a local market, should be eliminated.
- Whether local marketing agreements between television stations should be regulated.

We have recently read disturbing comments by such persons as House sub-committee Chairman Oxley to the effect that broadcasting is just another commodity. While calls for further deregulation are couched in terms of promoting competition in the industry, many proposals will in fact squelch competition. The fact is, there is no industry less in need of new competitive forces. American commercial broadcasting has been one of the nation's most fiercely competitive industries, although it has become a little less so as the effects of recent deregulation have run their course.

The Local believes there is currently no need for further deregulation, unless one accepts the premise that the long-standing goals of the rules are themselves invalid. We believe that the rationales for the current rules are still valid. To drastically modify the rules, in response to pressure from certain political or corporate interests, is to defeat the very purpose of ensuring that the broadcast marketplace be as diverse as possible. The result would simply be to enhance the opportunity to concentrate wealth, at the expense of diversity in programming, information, and opinion. These proposed changes would, in our view, jeopardize the remaining local nature of broadcasting. In addition, fewer and fewer people will be employed in broadcast journalism, with those remaining being pressed to homogenize programming in order to attract a broader range of viewers. The long term will see a diminution of the effectiveness of broadcast journalism as an enterprise which also serves the public interest. Instead, only opinion and "news" programming

which are paid for by powerful interest groups, or those programs which have extreme mass audience appeal, may be available.

EXPERIENCE IN PITTSBURGH UNDER DEREGULATION

Loosening of ownership restrictions in radio has resulted in stations being purchased in order to eliminate them as competitors. Management then formats and programs the combined stations solely to reach the largest combined audience. While there have been beneficial takeovers of struggling properties by healthy companies (which can continue to take place without further changes) the more typical scenario is for one fish to swallow another fish, with the result being a smaller variety of fish in the pond.

Radio duopolies have generally resulted in tremendous pressure to cut costs and achieve economies of scale. Each time it occurs, the service to the public in the fields of news and public affairs declines. The sheer number of layoffs and elimination of news jobs in Pittsburgh over the past two years has been staggering, at both the reporting and assignment level. Adding greater consolidation in television would be an ominous development in broadcast journalism. The pattern has already developed. Fewer and fewer journalists are working, each trying to attract a broader and broader segment of the public, driven solely by the need to increase profits for larger and larger companies. Is this the type of "competition" which will serve the public interest?

Here in Pittsburgh, because of two grandfathered situations where TV and radio stations are jointly owned notwithstanding the "one to a market" rule, we have had a preview of what deregulation in that context would mean. There used to be an "unwritten rule" that those newsrooms and staffs were kept separate. When resources were occasionally shared, it was to enhance or broaden coverage. More recently those lines have broken down, particularly in the case of Westinghouse stations KDKA TV and AM, where corporate financial troubles have elevated the "bottom line" to the one and only goal of the operation. We have observed a marked decline in the total resources devoted to news and information gathering on the radio side. Most events are no longer covered in person by radio staff, and often as a result TV audio material is excerpted and reused on radio whether or not it makes sense as a radio report. Depth of investigation, different investigative approaches, and reporting geared to verbal, rather than visual imagery, is lost. To date, cross utilization at the Hearst stations WTAE TV/WTAE AM/WVTY FM is less pronounced than at KDKA, but nevertheless increased from previous levels. Several radio news positions have been eliminated.

Clearly, when profitability is at stake, companies see no need to retain separation between staffs working in the different media, or to use combined resources only to improve coverage and programming. This results in a reduction in diversity of news gathering and reporting, and is adverse to the public interest.

COMPETITION AND DIVERSITY IN TELEVISION

The Commission should not consider cable TV as providing sufficient diversity to counter balance any dilution resulting from deregulation in broadcast TV. First, one-third of the population does not receive cable, and cable is not required to meet public interest requirements. While public service programming sometimes finds outlets in local cable, local news is generally not to be found, unless it

is a retread of local broadcast programming. Area residents may have dozens of channels on our cable systems, but only three choices for local news programming, and effectively four for national news. We cannot envision these particular proposals increasing the diversity of information available, while on the contrary, there are many reasons to fear that further homogenization will result.

We doubt that allowing single owners to own TV stations reaching up to 50% of the nation will have no monopolistic implications. Entire regions of the country could be blatantly monopolized. In addition, the companies large and powerful enough to have that many outlets will most likely be the networks, group owners of various media, and large telecommunication companies. The control of information and opinion in entire cities and regions could easily be condensed into the hands of a few, or even single powerful enterprises. It stands to reason that the larger any group owner is allowed to be, the fewer opportunities there will be for diversity and true competition. Large segments of the population will be limited to too few options.

In closing, we believe that free, over the air television broadcasting does have a special place in our society as one of the prime outlets for a free press. It is vital but still possible to balance corporate and public interests, no matter how strident the calls for government to relinquish its role. The television industry is healthy and still relatively competitive as it stands now. Broadcast revenues are up. No new changes are needed for the purpose of encouraging the purchase of troubled properties by healthy companies. Anyone with a license to sell in this market can expect plenty of bidders for it.

The Commission should look beyond the yearning for increased profits by a few large companies, and keep its eye on the public interest it was created to serve. Radical change will serve only those who seek the unfettered right to make money, no matter who is harmed or who is helped.